

pretreatment standards pursuant to section 307 (b) and (d) of the Act, 33 U.S.C. § 1317 (b) and (d), and failure to comply with local monitoring and reporting requirements.

Under the terms of the Consent Decree, the defendant will pay a civil penalty of \$160,786 to the United States. In addition, CPF will be required to comply with applicable pretreatment standards, as well as comply with monitoring, sampling, and reporting requirements. The monitoring requirements include a program of gathering water quality data in the Nashua River watershed. CPF will also be required to perform four supplemental environmental projects, consisting of the acquisition and transfer to the Commonwealth of Massachusetts of certain conservation land, the performance of two storm drain stenciling programs, and the performance of a riverbank stabilization project, all at an estimated cost to CPF of \$99,625.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. CPF, Inc.*, Civil Action No. 96-11141-REK (D. Mass.) DOJ #90-5-1-1-4292.

The proposed Consent Decree may be examined at the Region 1 Office of the Environmental Protection Agency, One Congress Street, Boston, Massachusetts; at the office of the United States Attorney, District of Massachusetts, 1003 J.W. McCormack P.O. & Courthouse, Boston, MA 02109, c/o George B. Henderson, II, Assistant U.S. Attorney; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.25 for the Consent Decree without attachments or \$9.00 for the Consent Decree with attachments (25 cents per page reproduction cost) made payable to Consent Decree Library.

Bruce S. Gelber,

*Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

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### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given of four consent decrees lodged on May 23, 1996. A separate consent decree was lodged in each of the following related cases: (a) *United States of America v. Iroquois Pipeline Operating Company*, Civ. Act. No. 96-CV-836 FJS (N.D.N.Y.); (b) *United States of America v. Iroquois Pipeline Operating Company*, Civ. Act. No. CV 96 2613 (E.D.N.Y.); (c) *United States of America v. Iroquois Pipeline Operating Company*, Civ. Act. No. CV 3906 (CLB) (S.D.N.Y.); and (d) *United States of America v. Iroquois Pipeline Operating Company*, Civ. Act. No. CV 396CV00926 (RNC). The proposed decrees concern alleged violations of Sections 301 and 404 of the Clean Water Act, 33 U.S.C. §§ 1311 and 1344, as the result of the defendant's violation of U.S. Army Corps of Engineers ("Corps") Permit No. 16013, issued on February 12, 1991, in connection with construction of the Iroquois natural gas pipeline ("Pipeline").

Pursuant to each of the consent decrees, Iroquois Pipeline Operating Company and Iroquois Gas Transmission System, LP (an entity related to defendant Iroquois Pipeline Operating Company which is not a defendant in the complaints associated with the consent decrees, but which is a signatory to the consent decrees) (collectively, "Iroquois"), are (a) Permanently enjoined from violating Sections 301(a) and 404 of the Clean Water Act, 33 U.S.C. §§ 1311 and 1344; (b) required to comply with a Constant Order issued by the United States Department of Transportation, which mandates the performance of an "Integrity Monitoring and Maintenance Plan" relating to the Pipeline by defendant; (c) required to implement a Backfill Stability Monitoring and Maintenance Plan relating to the Pipeline; (d) required to pay a civil penalty of \$2.25 million pursuant to 33 U.S.C. §§ 1319(d) and 1344(s); and (e) required to pay \$2.25 million to the National Fish and Wildlife Foundation as a supplemental environmental project for the creation, restoration, enhancement and acquisition of wetlands and adjoining uplands in the vicinity of the Pipeline right-of-way. Iroquois will be making one \$2.25 million civil penalty payment and one \$2.25 million payment for the supplemental environmental project in fulfillment of its obligations under all

four consent decrees. Pursuant to the consent decree lodged in the United States District Court for the Northern District of New York, Iroquois will also be required to remove unauthorized fill and restore wetlands under the supervision of the Corps.

The Department of Justice will receive written comments on these consent decrees for a period of thirty (30) days from the date of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Attention: Daniel W. Pinkston, Environmental Defense Section, P.O. Box 23986, Washington, DC 20026-3986, and should refer to *United States v. Iroquois Pipeline Operating Company*, DJ Reference No. 90-5-1-1-3883.

The proposed consent decrees may be examined at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy of the consent decrees with attachments, please enclose a check in the amount of \$22.50 for a copy of the Northern District of New York consent decree; \$23.00 for a copy of the Eastern District consent decree; \$22.75 for a copy of the Southern District consent decree; and \$22.50 for the District of Connecticut consent decree. In addition to the Consent Decree Library, the consent decree for a particular district may be examined at the following locations: (a) Northern District of New York—Offices of the United States Attorney for the Northern District of New York, James Foley Building, Room 231, Albany, New York; (b) Eastern District of New York—Offices of the United States Attorney for the Eastern District of New York, One Pierrepont Plaza, 14th Floor, Brooklyn, New York; (c) Southern District of New York—Offices of the United States Attorney for the Southern District of New York, 100 Church Street, 19th Floor, New York, New York; and (d) District of Connecticut—Office of the Clerk of the United States District Court for the District of Connecticut, 450 Main Street, Hartford, Connecticut.

Letitia J. Grishaw,

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